IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)

WEDNESDAY, THE THIRTIETH DAY OF JUNE
TWO THOUSAND AND FOUR

PRESENT
THE HON'BLE MR JUSTICE S.ANANDA REDDY

WRIT PETITION NO : 10961 of 2004

Between:

Bhanu Prakash, s/o.Narayana,
Ramachandrapur Village, Koheda Mandal,
Karimnagar Dist.

..... PETITIONER

AND

1 The Dist.Collector (Civil Supplies) Collectorate Buildings,Karimnagar.
2 The Revenue Divisional officer, Karimangar.
3 The Mandal Revenue officer, Koheda Mandal, Karimnagar Dist.
4 Smt.Jakkinapalli Nirmala, W/o.Rajalingam
Ramachandrapur village, Koheda Mandal,Karimangar Dist.

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction, more particularly one in the nature of writ of Mandmaus duly declaring the action of the respondent No.1 herein in issuing proceedings No.G4/267/2003 dt. 30-5-2004 revoking the suspension order of dealer ship of Fair price shop No.1006 allotted to the Respondent No.4 herein in appeal filed against the order passed by the Revenue Divisional officer, Karimnagar pending enquiry before him, as arbitrary, illegal, unilateral and contrary to the provisions under (The) public Distribution system (Control) order, 2001 and to set aside the same.

Counsel for the Petitioner:MR.VINOD KUMAR DESHPANDE

Counsel for the Respondent Nos.1 to 3: The Government Pleader for

CIVIL SUPPLIES

Counsel for the Respondent No.4: None appeared.

The Court made the following Order:

This writ petition is filed by the petitioner, who is stated to be the Sarpanch of the Gram Panchayat, Ramachandrapur Village, Koheda Mandal, Karimnagar District, against the order of the first respondent-District Collector (Civil Supplies), Karimnagar, under which, the appeal filed by the fourth respondent was allowed.

According to the petitioner, there are serious allegations against the fourth respondent. Basing on which, proceedings were initiated by the second respondent-Revenue Divisional Officer, Karimnagar and in fact, the authorization of the fourth respondent was suspended. But, however, the first respondent-appellate authority revoked the said suspension order passed by the second respondent. Further, in view of the serious allegations levelled against the fourth respondent, the suspension of the authorization ought not to have been revoked by the first respondent. Therefore, the present writ petition.

Heard the learned Counsel for the petitioner and the learned Government Pleader for Civil Supplies.

Prima facie, the petitioner has no locus standi to maintain the present writ petition. On certain irregularities committed by the fourth respondent, the second respondent suspended her authorisation and also imposed a fine of Rs.1,000/- (Rupees One Thousand only). Further, the first respondent-appellate authority revoked the suspension order of the second respondent as a criminal case was registered against the fourth respondent. The revocation order shall be subject to the outcome of the criminal proceedings pending against the fourth respondent. In that view

of the matter, there are absolutely no merits in the present writ petition warranting interference by this Court.

The writ petition is accordingly dismissed at the admission stage. No order as to costs.

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(S.ANANDA REDDY, J)

30th JUNE, 2004.

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To

1 The Dist.Collector (Civil Supplies) Collectorate Buildings,Karimnagar.
2 The Revenue Divisional officer, Karimangar.
3 The Mandal Revenue officer, Koheda Mandal, Karimnagar Dist.
4 Two CCs to the Government Pleader for Civil Supplies, High Court Buildings, A.P., Hyderabad.
5 Two CD copies.